

August 6, 2003 BZA



REQUEST ANALYSIS
AND
RECOMMENDATION

03AN0321

Eugenia J. Jett

Bermuda Magisterial District
9711 Express Lane

- REQUESTS: I. A thirty-five (35) foot Variance to the sixty (60) foot front yard requirement for a proposed warehouse addition.
- II. A five (5) parking space Variance to the thirteen (13) parking space requirement.

RECOMMENDATION

Recommend denial of these requests for the following reasons:

- A. Staff finds there are no extraordinary circumstances or conditions applying to this property which do not apply generally to all other properties in the immediate area.
- B. The Variances are not in accordance with the spirit and intent of the Zoning Ordinance.

GENERAL INFORMATION

Location:

Property is known as 9711 Express Lane. Tax ID 796-668-1292 (Sheet 18).

Existing Zoning:

I-2

Size:

.95 acre

Existing Land Use:

Industrial

Adjacent Zoning and Land Use:

North - I-2; Industrial
South - I-2; Industrial
East - I-2; Industrial
West - I-2; Vacant

Utilities:

Public water and sewer

General Plan:

(Jefferson Davis Corridor Plan)

General industrial use

DISCUSSION

The applicant is proposing to construct a warehouse addition. The applicant has requested a thirty-five (35) foot Variance. The site plan the applicant submitted indicates the addition will be located thirty-four (34) feet from the front property line, thereby needing a twenty-six (26) foot Variance (see attached plat). The applicant also indicates there are eight (8) parking spaces. They are required to have thirteen (13) parking spaces. Therefore, the applicant is requesting a five (5) parking space Variance.

The applicant provides the following information in support of this request:

The proposed use is also the current use. McCormick Insulation intends to continue to occupy the building as a wholesale insulation supply warehouse/distributor. They are the contract purchaser and have outgrown the current facilities. They will need to expand the building by fifty (50) feet or 4,000 square feet in order to avoid the disruption and cost of a relocation. They have been in place for six (6) years and would like to remain in Chesterfield County. The building addition will be used to increase McCormick's warehousing. The addition should have no impact on the adjacent properties. While this small, five (5) business industrial park is zoned I-2, most of the operations, as well as the subject property, would fall under I-1 uses. We are asking to have the setback reduced to the I-1 setback requirement. There will be no change in the loading operations and no change in traffic patterns. Once the addition is built, there will be no room to construct the required parking.

The property currently has eight (8) parking spaces, which is more than adequate for the three (3) individuals employed on site.

Staff reviewed the application and site plan relative to this request and visited the site. Staff found that the building and an eight (8) parking space lot exists. Staff is concerned the applicant is requesting a greater Variance than the site plan indicates. The applicant is requesting a thirty-five (35) foot Variance but the site plan indicates the proposed addition will be thirty-four (34) feet from the front property line. The front yard setback requirement is sixty (60) feet. Thus, a twenty-six (26) foot Variance is all that is required.

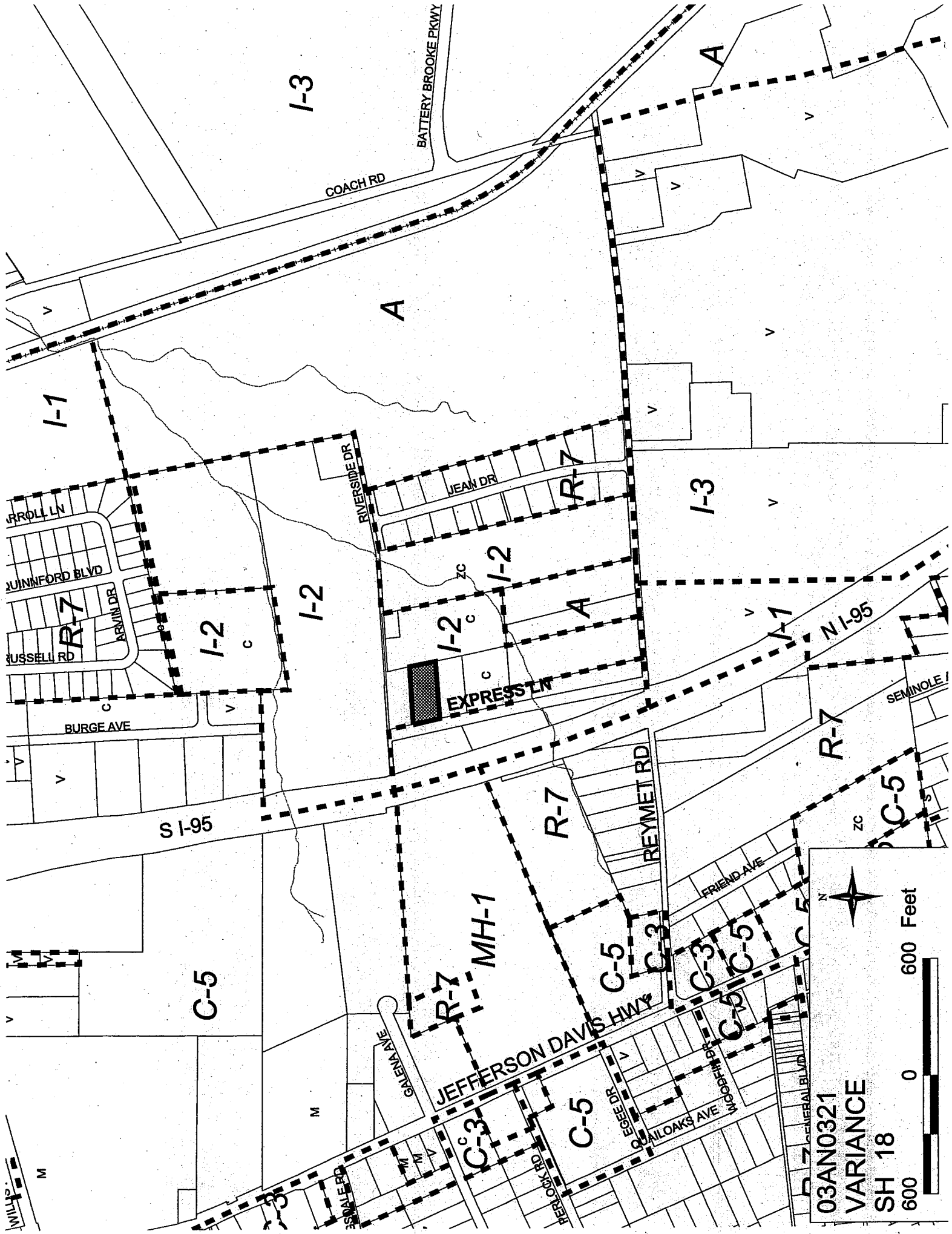
As required by the Zoning Ordinance, the applicant has provided no information which would serve as a basis for granting this Variance. Staff finds no physical surroundings, shape or topographical conditions on the property which would present a particular hardship to the owner if these Variances were denied. Staff finds no conditions upon which this request is based which are unique to the property and do not apply generally to other properties in the area.

Staff believes that this request is based on financial consideration rather than physical hardship or other conditions which are not applicable to other property in the area. Therefore, staff cannot support this request.

However, if the Board sees that this request has merit, staff recommends that it be subject to the following conditions:

CONDITIONS

1. This request shall be for a twenty-six (26) foot Variance to the sixty (60) foot front yard setback requirement as depicted in the staff report.
2. This request shall be for a five (5) parking space Variance to the thirteen (13) parking space requirement.



03AN0321
VARIANCE
SH 18
600



EXPRESS LAKE (ROUTE 1419)

